

REMARKS

The Applicants thank the Examiner for the thorough consideration given the present application. Claims 21-24, 26-33, and 36-40 are pending. Claims 1-20, 25, 34, and 35 were previously cancelled without prejudice to or disclaimer of the subject matter set forth therein. Claims 36 and 37 are withdrawn. Claim 40 is amended. Claim 21 is independent. The Examiner is respectfully requested to reconsider the rejections in view of the amendments and remarks set forth herein.

Request for Reconsideration / Reasons for Entry of Amendments

At the outset, it is respectfully submitted that the rejections of at least claims 21-24, 26-33 and 36-39 are not proper and should be withdrawn. See arguments below.

By way of this Reply, each of claims 21-24, 26-33 and 36-39 remains as previously presented, and dependent claim 40 has been amended merely to correct a typographical error.

Accordingly, the claims of this Reply include only subject matter that has previously been considered and examined by the Examiner, and these claims as amended DO NOT raise any new issues that would warrant an additional search of the related art on the part of the Examiner.

In the alternative, if the Examiner does not agree that this application is in condition for allowance, it is respectfully requested that this Amendment be entered for the purpose of appeal. This Amendment was not presented at an earlier date in view of the fact that Applicants did not fully appreciate the Examiner's position until the Final Office Action was

reviewed. It is respectfully requested that the Examiner Reconsider his rejections made in this Final Office Action.

Examiner Interview

If, during further examination of the present application, a discussion with the Applicants' Representative would advance the prosecution of the present application, the Examiner is encouraged to contact Carl T. Thomsen, Registration No. 50,786, at 1-703-208-4030 (direct line) at his convenience.

Rejections Under 35 U.S.C. §102(b) and §103(a)

Claims 21, 23, 28, 30, 32, 33, and 38-40 stand rejected under 35 U.S.C. §102(b) as being anticipated by, or in the alternative, under 35 U.S.C. §103(a) as being unpatentable over Bonk et al. (U.S. 4,731, 273);

claims 21 and 22 stand rejected under 35 U.S.C. §102(b) as being anticipated by, or in the alternative, under 35 U.S.C. §103(a) as being unpatentable over Woods (U.S. 4,414,275);

claims 21, 24, 26, and 27 stand rejected under 35 U.S.C. §102(b) as being anticipated by, or in the alternative, under 35 U.S.C. §103(a) as being unpatentable over Komiyama et al. (U.S. 5,118,567);

claims 21 and 31 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Polski et al. (U.S. 5,599,601); and

claim 29 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Bonk et al. in view of Lautenschlaeger et al. (U.S. 4,814,215).

These rejections are respectfully traversed.

Arguments Regarding Independent Claim 21 as Previously Presented

Independent claim 21 as previously presented recites a combination of elements directed to a pressure-sensitive adhesive material or a sealing material which has a three-dimensional structure and a defined cross-sectional contour, including *inter alia*

“wherein said material is present in a form of strings, strands or strips having a round, semicircular, oval, elliptical, triangular, quadrangular, polygonal or irregular cross-sectional contour and a thickness of 0.5 to 50 mm”.

Support for the novel features of claim 21 can be found, for example, on page 10, 4th paragraph of the original specification.

The Applicants respectfully submit that the combination of elements as set forth in independent claim 21 is not disclosed or made obvious by the prior art of record, including Bonk et al., Woods, Komiya et al., and Polski et al.

Specifically, on page 3 of the Office Action dated March 7, 2008, the Examiner alleges “With respect to the claim requirement of the thickness of the PSA material or a sealing material, it would have been obvious to choose a suitable thickness depending on the intended use of the PSA material”.

Admittedly, there are hundreds of documents relating to pressure sensitive adhesives strips or tapes based on or comprising certain acrylates, crosslinking agents, initiators, fillers, flame-proofing agents and/or colourants and would into a continuous roll. To a certain extent

every pressure sensitive adhesive tape necessarily has a three-dimensional structure with a certain length, width and height, too.

In the previous communication between Examiner and Applicants essentially all of the points mentioned now in the Examiner's rejections have already been discussed so that it seems unnecessary to repeat all of the Applicants arguments again.

However, in the following three points the Applicants would like to outline the major differences which clearly distinguish the invention of the application in question from the subject matter of cited prior art references, and which make the present invention as a whole non-obvious to an ordinary skilled person:

1. The present application does not refer to an adhesive tape as it is commonly known, but to both one single pressure sensitive adhesive strip/stand/string, and at the same time, to several individual pressure sensitive geometries which are not interconnected, but which are produced as single geometries. The following explanation refers to the first production method as it is shown in Fig. 2.: After having been cured either the strip or the individual geometries are put onto an adhesive carrier material which may be in rollable adhesive tape form or may be in the form of non-rollable adhesive sheets. That is, in the production process either a depression of only one shape or depressions of several imaginable shapes in a continuous, endless band or belt is/are filled with the adhesive mass which is then cured. The resulting

geometries (in the first case one single “endless” carrierless pressure sensitive adhesive strip, in the other cases something like carrierless pressure sensitive adhesive “cookies” imaginable in every possible geometry) are then transferred onto the adhesive carrier material. This material is then either rolled and finally forms a sort of carrier tape containing a single pressure sensitive adhesive strip/strand/string or single, independent, adhesive figures of different geometries, or it is in the form of adhesive non-rollable sheets containing the single, independent, adhesive figures of different geometries.

2. The resulting pressure sensitive materials or sealing materials cannot be used as heat re-coverable closures (Bonk et al.), in the processing of semiconductor wafers (Komiyama et al.), as a diaper closure tape (Polski et al.), in window structures as it is described in US 4,814,215 (Lautenschlaeger et al.), or as a protective adhesive coating especially for high surface energy materials (Woods).
3. A thickness of 0.5 to 5.0 mm is highly unusual for pressure sensitive adhesive materials. The usual ways to produce PSA tapes do not allow thickness in the range claimed here in (as consequence of interrelated factors in the tape production, like for example, the viscosity, curing time, and drying speed of the adhesive mass). In order to obtain the claimed thickness of PSA products and due to the interrelation mentioned, not only new

production methods, but also the new adhesive compositions of the present inventions are necessary.

At least for the reasons described above, the Applicants respectfully submit that the combination of elements as set forth in independent claim 21 is not disclosed or made obvious by the prior art of record, including Bonk et al., Woods, Komiya et al., and Polski et al.

Accordingly, reconsideration and withdrawal of these rejections are respectfully requested.

Independent claim 21 is in condition for allowance.

Dependent Claims

The Examiner will note that dependent 40 has been amended.

All dependent claims are in condition for allowance due to their dependency from allowable independent claims, as well as for the additional novel limitations set forth therein.

All claims of the present application are now in condition for allowance.

CONCLUSION

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. It is believed that a full and complete response has been made to the outstanding Office Action, and that the present application is in condition for allowance.

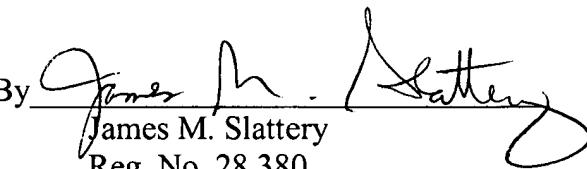
If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone Carl T. Thomsen (Reg. No. 50,786) at (703) 208-4030 (direct line).

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

Date: August 7, 2008

By 
James M. Slattery
Reg. No. 28,380

JMS/CTT/ktp

BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicants